The Discourse of Law:

An Analysis of the TV Series *How to Get Away with Murder*

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Abstract

This paper aims to carry out a thorough discursive analysis of the community depicted in the famous TV series *How to Get Away with Murder*. Drawing on the theoretical framework provided by scholars John Swales, Dell Hymes, Teun van Dijk and Jean-Michel Adam, the discourse community at issue is described in depth and three relevant discourse samples are analyzed: the cross-examination of a defendant (SPEAKING model), a sign setting out the court dress code to be enforced, and part of an emergency custody order (macrostructures and superstructures, and textual sequences).

Key words: discourse analysis, law, discourse community, SPEAKING model, macrostructures and superstructures, textual sequences.

Resumen

El presente trabajo tiene como objetivo realizar un análisis discursivo detallado de la comunidad presentada en la famosa serie televisiva *How to Get Away With Murder*. A partir de los fundamentos teóricos de los académicos John Swales, Dell Hymes, Teun van Dijk y Jean-Michel Adam, se describe en profundidad la comunidad en cuestión y se analizan tres muestras discursivas pertinentes: el contraexamen de un acusado (modelo *SPEAKING*), un letrero que contiene el código de vestimenta que debe cumplirse dentro de un tribunal, y un fragmento de una sentencia judicial relativa al cuidado personal de un menor (macroestructuras y superestructuras, y secuencias textuales).

Palabras clave: análisis del discurso, derecho, comunidad discursiva, modelo *SPEAKING*, macroestructuras y superestructuras, secuencias textuales.

Introduction

Applied linguist Guy Cook (1989) defined discourse as "language in use for communication," and further claimed that it must be thought of as a "stretch of language perceived to be meaningful, unified and purposive" (p. 15). This paper aims at analyzing how language is used within a legal discourse community. In doing so, our starting point will be the discourse community shown in the American drama TV series *How to Get Away with Murder* (HTGAWM). Nevertheless, this analysis may be applied to other legal discourse community, since the focus will not be placed on the characters, but mainly on the roles they play as members of said community. As to the theoretical framework of this paper, we will chiefly draw on the works and theories developed by scholars John Swales (Discourse Community), Dell Hymes (SPEAKING Model of Analysis), Teun van Dijk (macrostructure and superstructure) and Jean-Michel Adam (textual sequences). Let us delve into the fascinating world that arises when law and language intersect.

Description of the discourse community under study

The legal discourse community depicted in HTGAWM is made up of members that fulfill different roles: an attorney and Law professor (Annalise Keating), her clients (in the samples chosen, defendants Dani Alvodar and Laurel Castillo), the opposing party (in the samples chosen, Mr. Stone, who is the injured party[13] to a criminal proceeding, and Jorge Castillo, who is the plaintiff in a civil proceeding), the judge (in the samples chosen, Judge Kendrick), an opposing counsel or prosecutor (in the samples chosen, Assistant District Attorney (ADA) Atwood), a trial jury (consisting of common citizens), witnesses, a court reporter and a court clerk.

Below, we present a detailed analysis of the six characteristics that, according to Swales (1990), define a discourse community (pp. 24-27).

1. There is a "broadly agreed set of common public goals": the individual members that are part of this legal discourse community share a common goal, which is to ensure that justice is done. This goal is generally explicit, e.g. in writing when filing a pleading that contains a prayer for relief, or overtly stated during opening/closing statements in court.

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[13] Strictly speaking, the opposing party in a criminal proceeding is the prosecutor, who represents the people ("The People of the State of Pennsylvania v. Alvodar").

2. There are "mechanisms of intercommunication among its members": both oral (meetings, face-to-face conversations, phone calls, depositions, etc.), and written (pleadings, text messages, e-mails, court orders, etc.). These mechanisms will be studied in depth when addressing genres.

3. Participatory mechanisms are primarily used "to provide information and feedback": communication effectively occurs, and feedback is shown, for example, if we have a look at the initial legal steps that take place in civil proceedings, i.e. claim – answer – counterclaim – reply.

4. Existence of genres "in the communicative furtherance of its aims":
ORAL GENRES:

✓ Face-to-face conversations (between attorney and client, between attorney for the plaintiff and attorney for the defense, between attorney and prosecutor, between attorney and judge, between jurors when deliberating, etc.)

✓ Meetings

✓ Phone calls

✓ Depositions

✓ Preliminary hearings

✓ Arraignments

✓ Opening statements

✓ Closing statements

✓ Direct examination

✓ Cross examination (as the one in Sample A)

✓ Instructions to the jury

WRITTEN GENRES:

✓ WhatsApp exchanges

✓ E-mails

✓ Summons

✓ Notices

✓ Indictments/information

✓ Complaints, answers, counterclaims, replies

✓ Court signs (as the one in Sample B.1)

✓ Writings (as the one in Sample B.2)

- ✓ Jury verdict forms
- ✓ Court orders and judgments
- ✓ Appeals
- ✓ Court reporter's notes
- ✓ Affidavits
- ✓ Statutes
- ✓ Contracts
- ✓ Powers of attorney
- ✓ Record of the case

According to Bakhtin (1986), there are four factors underlying genre: theme, relative stability, internal structure and register (p. 64). The last two factors are of utmost importance in the field of law. Nobody would expect a complaint to include slang or even informal language. Moreover, documents have a set structure. This holds especially true for Anglo-American Law, where most written genres consist in already printed forms.

Take the example below, which was retrieved from an educational blog. The text illustrates a letters rogatory, but as the reader will notice, although the theme has been respected, register and internal structure have been flouted.

Dear Unknown Judge in Country XYZ:

I'm a judge, too, y'see, and I've got this case in my court that can't proceed unless I get some help. Here's what's going on… (details)

Now that I've spelled out the gist of the case, I'd really appreciate it if you could see your way clear to sending out one of your guys to (serve process/compel this witness to submit to examination/compel production of evidence…). Pretty please. You're a good fellow and, if you ever have occasion to send me one of these requests, you can bet I'll make it happen for you. And if you're ever in Cleveland, I'll buy you a beer.

Oh yeah, the party that's asking me to ask you for the favor? Yeah, he's gonna cover all of your expenses, so go nuts, Scooter. Much obliged.

Your new best pal,

U.S. judge

5. <u>Specific lexis</u>: such is the importance of this element in the legal discourse community that the term *legalese* has been coined to refer to the legal jargon, i.e. the technical language used by lawyers and other members of the legal community. Examples of this include legal

adverbs, such as "hereby", "hereto" and "herein", terms such as "witnesseth" or "whereas", expressions such as "provided, however, that", to name just a few. Furthermore, there are many community-specific abbreviations and acronyms. Take the acronym "LLP", which stands for "limited liability partnership". In computing, "LLP" stands for "lower layer protocol". Likewise, the acronym "MPC" stands for "Model Penal Code", whereas in the field of economics, it stands for "marginal propensity to consume".

6. <u>There is a threshold level of members with a suitable degree of relevant content and discoursal expertise:</u> many of the members of the community change depending on the case at issue (for example, the judge, the opposing counsel/prosecutor, and the jurors), so membership is quite dynamic. Nevertheless, their roles, which are already known to new members, remain fairly the same, thus discoursal expertise is not lost.

Analysis of SAMPLE A

Discourse Sample A will be analyzed by applying Hymes' SPEAKING model (1974, pp. 53-62):

1. **S**etting:

– Setting: a courtroom in the state of Philadelphia, Pennsylvania, United States, probably in the morning or afternoon, as a dim sunlight filters through the window.

– Scene: it gives a strong sense of formality and seriousness, which is noticed in both the lexis employed and courtroom etiquette. For instance, ADA Atwood, when wanting to have a more intimate conversation with Judge Kendrick, utters the words "permission to approach" before actually walking towards the bench. Similarly, since Ms. Keating has repeatedly asked the witness (injured party) questions which do not conform to the rules of a cross-examination, Judge Kendrick gives her a warning (reporting her conduct to the Bar). Sample B.1 further shows a typical court notice regarding dress code.

2. **P**articipants:

– Addressor: Ms. Keating, the attorney for the defendant, who is conducting the cross-examination.

– Addressee: the injured party, who is being cross-examined. One may argue that, in this specific case, the jurors (who, traditionally, are part of the audience) are also addressees,

since Ms. Keating's questions for the injured party seem to be statements addressed to the jury.

−   Audience: Judge Kendrick, ADA Atwood, witnesses, and other people who are present in the courtroom.

Sociocultural characteristics: as regards gender, the defendant is a woman accused of assaulting a man. Ms. Keating, ADA Atwood, Judge Kendrick, Ms. Alvodar and Mr. Stone are highly educated, whereas this may or may not be the case for the members of the jury.

Philosopher and lawyer Aníbal D'Auria (2018) asserts that human relationships may be classified into three categories: parishioner (*feligrés*), citizen (*ciudadano*), and companion (*compañero*). Parishioner relationships occur when there is a figure of authority who is worshipped, feared and loved by other people. Citizen relationships involve an abstract legal bond and they are based on laws. Lastly, companion relationships are those which entail solidarity and a group of people working together in order to attain a common goal (pp. 221-224).

Following the classification included above, Judge Kendrick maintains a citizen relationship with the rest of the participants, since her authority is granted by law. Ms. Keating, on the other hand, maintains a parishioner relationship with the rest of the participants, especially with Mr. Stone (as he is the one being cross-examined, bound to answer her questions). She is a strong and powerful woman who may cause the jurors to change their opinion and thus, Ms. Alvodar's fate. Finally, the jurors maintain a companion relationship, since they have to work together in order to decide (in most states, unanimously) whether or not the defendant is guilty.

3. **E**nds:

−   Purposes (illocutionary force): Ms. Keating wants to depict Mr. Stone as a drunk, sexist and violent man who has taken advantage of a woman.

−   Outcomes (perlocutionary force): the effect sought by Ms. Keating is achieved by means of questions phrased as assertions which are almost never answered by Mr. Stone, since all objections are sustained. Ms. Keating knows that the questions she asks are inevitably going to be objected, but that is exactly the way she achieves the outcome, as the words she utters will remain in the minds of the jurors, even though they will be instructed not to take them into consideration when deliberating.

4. <u>A</u>ct sequence:

<u>Organization of interaction:</u>

‒ The interaction begins when ADA Atwood gives Ms. Keating the word by saying "Your witness" (line 1) and the cross-examination starts. Then, Ms. Keating asks Mr. Stone the first question, and he answers (lines 2-5). After that, there is a set of questions (except for the assertion in line 6), objections and Judge Kendrick's decisions to sustain the objections (lines 6-14). Next, there is a more intimate exchange between Ms. Keating, ADA Atwood and Judge Kendrick (lines 15-21)[14]. The pattern "question – objection – judge's decision" is resumed (lines 23-43). After that, there is a warning on the part of Judge Kendrick (lines 44-47). The interaction ends when Ms. Keating utters the words "No further questions" (line 48).

‒ Ms. Keating is hetero-selected by ADA Atwood at the beginning of the interaction (line 1). During the development, Ms. Atwood selects herself to speak when raising objections, whereas Mr. Stone is hetero-selected by Ms. Keating.

‒ The most striking feature as regards turn-taking is that, even though in any ordinary cross-examination the witness' turn would generally be longer than the attorney's one, in this case, Ms. Keating's turns are longer, as Mr. Stone speaks only once.

<u>Organization of topics:</u>

The topic is maintained during most of the interaction, as it revolves around Mr. Stone's culpability, violent behavior, alcohol consumption and recollections of the night of the incident. Nevertheless, it changes when Ms. Keating accuses ADA Atwood of having coached the witness (lines 39-43), and it changes once again when Judge Kendrick gives Ms. Keating a warning as regards her conduct (lines 44-48).

<u>Adjacency pairs:</u>

‒ There is an adjacency pair (question-answer) in lines 2-5, when Ms. Keating asks, "Mr. Stone, how many drinks had you had before you approached my client" and Mr. Stone answers, "Three or four beers."

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[14] The SPEAKING model could, in turn, be applied to this exchange. This analysis has not been carried out due to space restrictions.

– There is an adjacency pair (assertion-partial agreement) in lines 17-19, when mentioning Mr. Stone's priors.

– There is an adjacency pair (petition-granting of the petition) each time an objection is raised by ADA Atwood and sustained by Judge Kendrick.

Although these exchanges, which are functionally dependent on each other, are similar to those generally expected in a discourse sample such as the one under analysis, a typical cross-examination would include more "question-answer" adjacency pairs. Conversely, "petition-granting of the petition" adjacency pairs prevail since Ms. Keating violates procedural rules and, consequently, the opposing party decides to raise objections.

5. <u>Key</u>: formal. This is shown, for instance, in the way participants are addressed (by their surnames, and in the case of the Judge, by the honorific "Your Honor") and in the vocabulary employed (e.g. "inebriated" instead of "drunk").

6. <u>I</u>nstrumentalities:

– Channel: oral.

– Varieties: use of contemporary expressions (diachronic variety), American English (diatopic variety), legalese and adult language (diastratic variety) and formal oral language (diaphasic variety). As regards diaphasic variation, "slang" is included when Ms. Keating introduces the offensive word "scissors" (See *Polyphony* below).

<u>Non-verbal communication</u>:

– <u>Paralanguage</u>: most of Ms. Keating's utterances are said at a high speed and in a loud confident voice, as her intention is to intimidate the witness and exercise her power over him. Interestingly, many of the yes-no questions she asks are said with a falling intonation, although the customary intonation for a question of this kind would be a rising one. Ms. Keating uses falling intonation so as to turn them into assertions and "testify for the witness." ADA Atwood's utterances are also said at a high speed and in an angry, annoyed tone, since, as already mentioned, Ms. Keating is not complying with the procedural rules that apply to cross-examinations.

– <u>Kinesics</u>:

Kinesics is the study of bodily movement and its meaning. According to Ekman and Friesen (1969) there are five types of body movements: emblems, adaptors, illustrators, affect displays and regulators. Adaptors are movements made to satisfy personal needs and to "adapt" to the environment, usually at a low level of awareness. Affect displays, on the other hand, reveal affective and emotional states (pp. 49-98).

In the communicative situation being studied, Ms. Keating taps her fingers on the counsel's table in order to conceal her nervousness (adaptor). Similarly, Mr. Stone fidgets with his hands to release pressure (adaptor). ADA Atwood leans forward three times to raise the objections (affect display). This shows how annoyed and angry she is. Ms. Keating lowers her head and her eyes (affect display) when Judge Kendrick prohibits mentioning priors. This shows defeat. Finally, when cross-examining Mr. Stone, Ms. Keating raises her eyebrows (affect display) when pronouncing the word "scissors". This shows disapproval and contempt.

− Proxemics: Judge Kendrick maintains public distance with the rest of the participants, and she is separated by the bench, since she is a figure of authority. Furthermore, at one point, Ms. Keating walks towards Mr. Stone and establishes personal distance (once again, in order to intimidate him).

− Physical traits and artifacts: as regards clothing, Ms. Alvodar is wearing a military uniform, which provides further information about her personal background. Clothes are sober, as they must comply with the dress code enforced (See Sample B.1). This helps create a courtroom atmosphere.

− Context factors: most of the furniture is made of mahogany wood. This gives a sense of long-standing traditions and solemnity.

7. **N**orms:

The prototypical structure for a cross-examination (norms of interaction) would consist in the attorney asking questions and the witness answering them, with very few interruptions by the opposing counsel. Nevertheless, in this case there are several interruptions (objections) and the witness speaks only once. As regards norms of interpretation, participants understand that when the judge sustains an objection it means that the witness will not be able to answer the question and that the attorney conducting the cross-examination must rephrase.

8. **G**enre: a cross-examination taking place during a criminal trial.

<u>Further elements worth of analysis:</u>

➤ There are some instances of polyphony (Bakhtin, 1984, pp. 5-22) during the cross-examination, since Ms. Keating introduces Mr. Stone and Ms. Alvodar's voices. For instance, when she asks, "Can you tell me what you meant when you yelled <u>"scissors"</u> to Ms. Alvodar?" (direct speech), or when she asks, "Was the music so loud that you couldn't hear <u>my client repeatedly tell you to leave her alone</u>?" (a form of indirect speech).

➤ Austin (1962) developed the concept of performative sentences or "performatives". He explains that, in performatives, "the issuing of the utterance is the performing of an action" and he adds that these sentences are "not normally thought of as *just* saying something" (pp. 6-7). Thus, regarding performativity, when Judge Kendrick sustains an objection or when she says, "I'm prohibiting the mention of all priors against the victim," something changes in reality. In the first case, the witness will not be able to answer Ms. Keating's question, whereas in the second case, Ms. Keating will not be able to refer to the witness' previous criminal convictions.

Similarly, linguist philosopher John Searle (1979), later proposed that there are five types of speech acts (things people *do* through language): assertives, directives, commissives, expressives and declarations. The sentence uttered by Judge Kendrick included above is an example of a declaration. The successful performance of a declaration "brings about the correspondence between the propositional content and reality" and "guarantees that the propositional content corresponds to the world" (p. 13). However, this declaration is only effective in context, i.e. if pronounced by a judge, as "there must exist an extra-linguistic institution and the speaker and hearer must occupy special places within this institution" (p. 14).

Analysis of SAMPLES B.1 and B.2

Discourse Samples B.1 and B.2 will be analyzed by applying Van Dijk's concepts of macrostructure and superstructure (1980) as well as Adam's textual sequences (2011).

Sample B.1 is a sign that sets out the court dress code. Members of the legal discourse community will have to comply with these rules while at trial or at a hearing since, otherwise, they will not be allowed to enter the courtroom. This differs greatly from what happens in

other types of communities. Take, for example, a group of friends or a family: there are no rules regarding the clothes they should or should not wear. As already stated, a courtroom is a formal environment, which is why proper decorum should be maintained. Furthermore, as these types of signs usually appear on the walls of the courtroom, the information they convey is presumed to be known by all members of the community.

Van Dijk (1980) makes a distinction between macrostructures, which are "higher-level semantic or conceptual structures that organize the 'local' microstructures of discourse, interaction, and their cognitive processing" (p. V), and superstructures, which refer to the "schematic form that organizes the global meaning of a text" (p. 108).

The **macrostructure** (or global meaning/content) of the text is the prohibition of certain items of clothing when in court, and this is shown in the text by means of the title "DRESS CODE ENFORCED".

The **superstructure** (or global form) of the text is comprised of a heading ("DRESS CODE ENFORCED") and four lines containing prohibitions. All these prohibitions are structured as follows: a negative determiner ("no") + a noun. The figure of speech employed is parallelism. Furthermore, space restrictions require succinctness, which is why there are no verbs in these constructions. Any reader would understand that the word "allowed" is implied and it would not make any sense to include a very long text, as the perlocutionary effect (complying or not with the dress code) would be lost, for many of the members of the community may feel inclined not to read the sign.

Said superstructure is characteristic of the text type "sign" and includes its expected features.

It should be noted that the word "no", a word with negative connotation, is very similar (if not identical) in many languages, at least as regards the initial consonant: *no* in Spanish, *no* in Italian, *não* in Portuguese, *niet* in Russian, *nein* in German, *non* in French, etc. Therefore, if we considered a legal discourse community from a country in which one of these languages is spoken, members of that community would still manage to understand that the sign contains a prohibition, in spite of the language barrier, since the layout, color and physical objects surrounding the court sign would activate schematic knowledge related to a prohibition.

Adam (2011) states that texts are heterogeneous structures which contain sequences. Said sequences or "pre-formatted structures of typed and ordered groupings of bundles of clauses" are generally intermingled, even in short texts. According to the French author, there are six

types of textual sequences (i.e. combinations of utterances): narrative, descriptive, argumentative, explicative, dialogical and prescriptive sequences (pp. 7-8).

The text in Sample B.1 is formed by four prescriptive/instructional coordinated **sequences**, Adam (1987) explains these sequences have the illocutionary force of an order and are typical of rules and laws. He adds that they usually consist of a list and the description of actions (pp. 65-66).

Sample B.2, on the other hand, is the first part of an application for an emergency custody order filed by the plaintiff (in this case, Jorge Castillo[15]) against defendant Laurel Castillo[16], in a civil lawsuit. This is one of the most formal means of communication between the members of the discourse community at issue, and unlike Sample B.1, the information it conveys only affects certain members.

The **macrostructure** of the text is the plaintiff's request to the judge that an emergency custody order be issued, and this is shown in the text by means of the title "EMERGENCY CUSTODY ORDER".

The **superstructure** is made up by the following elements: 1) the name of the court hearing the case; 2) the identification of the parties; 3) the docket number; 4) the title of the document; 5) the introduction of the application; 6) part of the body.

As in the previous sample, the superstructure coincides with the expected one for this text type, since the genres belonging to the legal discourse are the most stable ones. As shown with the example of the letters rogatory, the superstructure of this request could not have varied greatly from the prototypical one, as we would be going against the expectations of the members of the legal discourse community, and the document itself would have no legal effects.

Moreover, members of the discourse community (probably with the exception of witnesses and jurors, since they are lay people) would expect the name of the court to be at the top of the document, the names of the parties to be on the left, the docket number to be on the right, the title of the document to be centered, and finally, the body.

Lastly, two coordinated narrative sequences can be found in this text. Adam (2011) states that narrative sequences include an initial situation, a conflict, a (re)action, an end, and a final situation (p. 9). The plaintiff recounts which steps he has taken up to now within the proceedings; he's "telling his story" to the judge. Nevertheless, the implicit dominant

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[15] Jorge Castillo enters the community when he files the emergency petition.
[16] Laurel Castillo enters the community when the petition is filed against her.

sequence underlying these narrative sequences (and almost all pleadings and other writings) is argumentative. According to Adam (1987), argumentative sequences aim at persuading the addressee (pp. 68-69). In this case, the plaintiff's aim is to convince the judge that relief should be granted in his favor.

Conclusion

As the reader may have noticed from the characterization of the chosen discourse community, as well as from the samples provided, legal discourse is highly specialized, and governed by many discursive rules that are almost invariably complied with. The members of said community are used to the presence of specific terms and genres, which, as already stated, are fairly stable. Furthermore, the roles played by the different members of this community are of utmost importance, which is not always the case with other types of communities, in which functions are not necessarily strictly defined. Lastly, the power of language should not be left unaddressed. In a legal discourse community like the one under analysis, language serves a unique purpose: it may determine a person's fate.

References

Aaron, L. (2017). How to Write a Letter Rogatory. *Hague Law Blog*. Retrieved from

    https://www.haguelawblog.com/2017/01/write-letter-rogatory/

Adam, J. M. (1987). Types de séquences élémentaires. *Pratiques: linguistique, littérature, didactique, No. 56*.

    Retrieved from https://doi.org/10.3406/prati.1987.1461

Adam, J. M. (2011). *The narrative sequence: history of a concept and a research area*. Lausanne: University of

    Lausanne.

Austin, J. L. (1962). *How to Do Things with Words*. Oxford: Clarendon Press.

Bakhtin, M.M. (1984). *Problems of Dostoevsky's Poetics*. Minneapolis: University of Minnesota Press.

Bakhtin, M. M. (1986) *The Problem with Speech Genres*. Austin: University of Texas Press.

Cook, G. (1989). *Discourse*. Oxford: Oxford University Press.

D'Auria, A. (2018). Feligreses, ciudadanos, compañeros. Elementos para una crítica de la política

    contemporánea. *Juris Poiesis, Vol. 21, No. 26*. Rio de Janeiro: Universidade Estácio de Sá, Curso de

    Direito, Mestrado e Doutorado em Direito.

Du Bois, J., Cumming S., Schuetze-Coburn S. & Paolino, D. (1993). Outline of Discourse Transcription.

    Talking data: Transcription and Coding in Discourse Research. New Jersey: Lawrence Erlbaum

    Associates.

Ekman, P. & Friesen W. (1969). The Repertoire of Nonverbal Behavior: Categories, Origins, Usage, and

    Coding. *Semiótica 1*. Retrieved from https://doi.org/10.1515/semi.1969.1.1.49

Hymes, D. H (1974). *Foundations in Sociolinguistics: An Ethnographic Approach*. Philadelphia: University of

    Pennsylvania Press.

Searle, J. (1976). A Classification of Illocutionary Acts. *Language in Society. Vol. 5, No. 1*. Cambridge:

    Cambridge University Press.

Swales, J. (1990). *Genre Analysis*. Cambridge: Cambridge University Press.

Van Dijk, T. A. (1980). *Macrostructures: An Interdisciplinary Study of Global Structures in Discourse,

    Interaction, and Cognition*. Hillsdale: NJ Erlbaum.

Appendix

Appendix A: Discourse Sample A – Transcription (Du Bois et al., 1993, pp. 45-87)

How to Get Away with Murder – Court Scene (Cross-Examination)

https://www.youtube.com/watch?v=50l4IzkHte0 (S3, E6) (min 0:22 – 1:45)

ADA (A): Assistant District Attorney (Ms. Atwood)

DA (K): Defense Attorney (Ms. Keating)

IPW (S): Injured Party, Witness (Mr. Stone)

J (K): Judge (Ms. Kendrick)

DF: doubtful voice

CF: confident voice

1	ADA (A)	(Walks towards counsel table) {(P) Your Witness_}
2	DA (K)	{(DC) Mr. Stone \ }
3		… {(DC) how many drinks had you had / }
4		.. {(DC) before you approached my client? \ }
5	IPW (S)	(Fidgets with hands) {(DF) Three or four beers / }
6	DA (K)	{(CF) So, you lost count / }
7	ADA (A)	{(0) Argumentative \ }
8	J (K)	{(0) Sustained_ }
9	DA (K)	{(0) Let me rephrase / }
10		{(CF) This isn't the first violent altercation you've had in a bar \ }
11		{(CF) is it? / }
12	ADA (A)	(leans forward) {(0) (F) Objection \}
13		{(F) Leading \ }
14	DA (K)	{(AC) Goes to establishing Mr. Stone pattern of violent behavior while inebriated \ }
15	ADA (A)	{(0) Permission to approach / } (both ADA (A) and DA (K) stand up and approach the bench)
16	-	(footsteps) xX(4)Xx
17	ADA (A)	{(P) Mr. Stone's priors are inadmissible per Rule 609 \ }
18	DA (K)	{(0) (P) Domestic abuse, yes. \ }
19		{(P) But there was another violent incident that he had during his time in college\ }

20	J (K)	{(P) Which could also be prejudicial \ }
21		…{(P) I'm prohibiting the mention of all priors against the victim \ }
22	-	(footsteps) xX(5)Xx (ADA (A) goes back to counsel table; DA (K) approaches the witness stand)
23	DA (K)	Mr. Stone \
24		.. {(AC) did you think buying my client a free drink was a down payment on a later sexual advance? / }
25	ADA (A)	{(0) Objection}
26		(moves arms and head in an annoyed manner) {(F) (AC) Counsel is badgering the witness \ }
27	J (K)	{(0) Sustained \ }
28	DA (K)	{(0) (AC) Can you tell me what you meant when you yelled "scissor" (raises eyebrows) to Ms. Alvodar? \}
29	ADA (A)	{(0) (F) Objection \ }
30		(leans forward) Offensive question \
31	J (K)	{(0) Sustained \ }
32	DA (K)	{(0) (AC) Can you describe the man that you allegedly claim made you bump into Dani? \ }
33	ADA (A)	{(0) (F) Objection \ }
34		{(AC) Outside the scope of direct examination \ }
35	J (K)	{(0) Sustained \ }
36	DA (K)	{(0) (AC) Was the music so loud that you couldn't hear my client repeatedly (raises eyebrows) tell you to leave her alone? \ }
37	ADA (A)	{(0) (F) Objection}
38		(leans forward and stands up from chair) {(0) (F) Calls for speculation}
39	DA (K)	{(0) (AC) (F) How long did A.D.A. Atwood spend coaching you on your testimony today? \ }
40	ADA (A)	{(0) (F) Objection}
41		{(AC) Counsel is clearly trying to impugn the witness_}
42		.. {(AC) Your Honor \ }
43	J (K)	{(0) Sustained \ }
44		…{(DC) Please/}

45		…{(DC) Ms. Keating/}
46		…{(DC) Move on_}
47		..{(DC) or I'll be inclined to report this conduct to the Bar \}
48*	DA (K)	xX(10)Xx (swallows) {(P) No further questions\}

*Not available in the clip provided.

Appendix B: Discourse Sample B.1 (Season 1, Episode 4)

DRESS CODE ENFORCED
NO SHORTS
NO T-SHIRTS – TANK TOPS
NO THONGS – SLIPPERS
NO SUN SHADES

Appendix C: Discourse Sample B.2 (Season 4, Episode 9)

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
JORGE CASTILLO
      Plaintiff   No. 2015 CV 345391
vs.
LAUREL CASTILLO
      Defendant
EMERGENCY CUSTODY ORDER
AND NOW COMES, Jorge Castillo who has filed an Emergency Petition for Special Relief in Custody and allege(s) as follows:
1) A Custody Complaint was filed simultaneously with this Emergency Petition for Special Relief in custody on April 22, 2016.
(…)